

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARMEN RODRIGUEZ,

Plaintiff,

v.

TRANS UNION, LLC,

Defendant.

Case No. 1:24-cv-00124-SAB

ORDER DISCHARGING ORDER TO
SHOW CAUSE AS TO DEFENDANT
TRANS UNION, LLC AND REQUIRING
PLAINTIFF TO FILE SCHEDULING
DATES AND CONSENT/DECLINE FORM

(ECF Nos. 9, 11)

DEADLINE: 4:00 P.M.

On May 15, 2024, an order issued in this matter requiring the parties to show cause in writing by May 17, 2024, why a joint scheduling report had not been filed in compliance with the Court's January 26, 2024 scheduling order. (ECF No. 9.) On May 16, 2024, Defendant filed a response to the Court's order. (ECF No. 11.) On May 17, 2024, Plaintiff filed a document that was entitled "Motion for Three-Days Extension of Time to Further Respond to Order." (ECF No. 12.) However, the document that was filed therein was a consent/decline form. The Office of the Clerk disregarded the document as improperly filed and Plaintiff was directed to refile the document using the correct event. (ECF No. 13.)

As stated in its order requiring that Plaintiffs show cause, Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of

the Court.” The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000).

As of the issuance of this order, Plaintiff has failed to respond to the Court’s May 15, 2024 order to show cause. The Court shall require Plaintiff to file a document setting forth proposed scheduling dates and to refile the consent/decline form by 4:00 p.m. on May 20, 2024. If Plaintiff fails to file the documents in compliance with this order, the Court shall impose monetary sanctions in the amount of \$50.00 per day, beginning on May 21, 2024.

Accordingly, IT IS HEREBY ORDERED that:

1. The May 15, 2024 order to show cause is DISCHARGED AS TO DEFENDANT;
2. Plaintiff shall file her proposed scheduling dates and refile the consent/decline form by **4:00 p.m. on May 20, 2024;** and
3. If Plaintiff fails to comply with this order, Plaintiff and Plaintiff’s counsel shall jointly and severally be obligated to pay the Clerk of the Court **\$50.00 per day, beginning on May 21, 2024**, until Plaintiff files a compliant response to the Court’s May 15, 2024 order to show cause (ECF No. 9).

IT IS SO ORDERED.

Dated: **May 20, 2024**


UNITED STATES MAGISTRATE JUDGE